

WAY TO CLEAR
FOUR BEER HERE

Piel Brothers and Schlitz Get
Permits to Make Medi-
cinal Brew.

Special Dispatch to This New York Herald.
New York, Nov. 4.—The Piel Brothers and Schlitz of Milwaukee were approved today by Federal prohibition authorities as qualified to manufacture and sell medicinal beer to druggists.

Prohibition Commissioner Haynes's action, endorsing the applications of the two breweries for permits, opened the way for immediate distribution of beer on prescriptions, by physicians holding permits to prescribe alcoholic liquors.

The permits of two other larger breweries—Pilsen of Newark and Lieberman's of New York—still are held up pending further compliance with certain provisions of the regulations, relating to bonds. These details probably will be met in a day or two, and final approval is expected by the first of next week.

Druggists in New York and other large cities have been piling up orders for beer since the Treasury issued the beer regulations, prohibition directors reported to headquarters today. Many druggists in each of the larger cities have made arrangements to obtain large shipments.

Commissioner Haynes, it is said, may insist that druggists and physicians take out new permits to prescribe medicinal liquors, or at least have their present permits modified, to benefit by the provisions of the beer regulations.

Legal advisers of the Treasury took the view, however, that permits outstanding fully authorize druggists to sell, and physicians to prescribe alcoholic liquors of whatever kind, and need no other authority.

The view of Mr. Haynes in informal talks with his associates is that the permits now held by druggists authorize them to sell only spirituous liquors. Mr. Haynes's impression on this point, however, was changed when he was reminded that druggists have been engaged for some time in the lawful sale of wines and other vinous liquors, as well as spirituous liquors.

The question of the legal rights of druggists and physicians under the existing permits may be taken up to-morrow at a conference between Commissioner Haynes and David S. Blair, Commissioner of Internal Revenue. Legal experts held to-day that broad construction of the permits as they now stand allow druggists to sell and physicians to prescribe alcoholic liquors under conditions defined by the Volstead law. Legal authorities appeared to agree that the permits impose only the restriction upon prescription and sale of spirituous liquors to one pint every ten days, but no restrictions are laid upon other liquors either malt or vinous.

Advances to the prohibition unit to-day revealed a wider license under conditions than was noted a few days ago among brewers, and numerous messages reached headquarters giving notice of the filing of applications for permits to engage in the real beer trade. Officials said, however, that probably not more than fifty brewers in States where the manufacture and sale of alcoholic liquors for non-beverage purposes is permitted by State law will qualify under the new regulations.

DIGGING CONTINUES
FOR BURIED WORKER

Men Press Work to Rescue Comrade.

Hope of reaching William Graham, workman buried Wednesday by a sand cave-in at the Waukegan dam, near Butler, N. J., before some time to-day was abandoned last evening, when after two days and nights of furious but methodical digging, no trace of him had been found. Hope that Butler is still alive has been given up by all but the most optimistic of the workmen, but there will be no stopping of the work for him until he is found, alive or dead.

In Graham's home in Buffalo his wife and two children, kept in touch with the developments by James R. Horton, president of the company, to which his wife was employed, are praying that his life may be spared, but without hope. Mrs. Graham insisted yesterday on starting at once for the scene of the accident, but was dissuaded by her husband.

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MISS RANDOLPH SUEED
BY INJURED CRAWFORD

Miss Elizabeth Randolph, a former resident of Baltimore, but who for the last six years has made her home in New York City, has filed a \$25,000 damages suit in the Supreme Court yesterday by Walter Kleys, who was in her employ as a chauffeur last August and alleges in his complaint that he was injured through her fault, overturning a touring car in which they were driving on the Long Island Motor Parkway.

He declares the accident occurred when the car was at a point near Hicksville and while Miss Randolph was driving at a rate of seventy-five miles an hour. He declares the car was overturned because she drove it into a car she overtook and that at the time she was driving she had a disabled arm.

20 FIREMEN AFFECTED
BY SMOKE IN CELLAR

Stagger to Street in Fighting Downtown Blaze.

More than twenty firemen of Engine Company 4 and 10 and Truck Company 15 were affected last night by smoke that rolled out of a cellar below the Bat Well Restaurant at 38 Stone street. The firemen went down into the place, where a lot of boxes were on fire, but were forced to retreat because of the smoke.

Many of the firemen returned to the street staggering, and were revived by milk provided by tenants of neighboring houses. Then they opened the floor of the restaurant, allowing the smoke to escape, and were able to extinguish the flames. The damage was about \$500.

CHECKS STOLEN FROM MAIL.

\$20,000 Worth Vanish on Way to Boston Clearing House.

DETHAM, Mass., Nov. 4.—The disappearance of a mail pouch containing \$24,000 in negotiable checks sent by the Detham National Bank to the Boston Clearing House on October 15, became known to-day. The pouch was one of two forwarded by train.

Its disappearance was noted first at the Boston Terminal. Post Office inspectors are said to have found no trace of it.

The largest of the checks in the pouch was for \$17,000. Payment on this and other checks as could be recalled in memory of his son, who was killed in the war. A donation of \$20,000 was made for the professorship.

WILKINSON FREED,
WIFE PAYS \$5 FINE

She Attacked Color Print President in His Motor Car in Broadway.

CHORUS GIRL RAN AWAY.
Fracas Was Second in Troubles of the Wilkinsons and Schlemmers.

William J. Wilkinson, president of the color print firm of Zeebs-Wilkinson & Company, Long Island City, was freed yesterday in West Side Court, and his wife was fined \$5 for disorderly conduct, as a result of a fight they staged Monday at Broadway and Forty-fifth street. This time, it was alleged, Mrs. Wilkinson was the aggressor, having, by her own statement, caught sight of Wilkinson passing in his automobile with a person beside him whom Mrs. Wilkinson described as a "young 15-year-old chorus girl."

But there was a former fracas which, Broadwayites recall, took place early in October, when Wilkinson was said to have found Mrs. Wilkinson riding in the automobile of William F. Schlemmer, a hardware manufacturer. The Wilkinson and Schlemmer homes border at Great Neck L. I., and as a result of the "scandal" which followed, it was said, Mrs. Schlemmer filed suit for separation and Wilkinson filed a \$50,000 damage action against Schlemmer for the alienation of the affections of Mrs. Wilkinson.

Other opera will be "Lohegrin," Wednesday, with Mmes. Easton and Matzenauer and Messrs. Harold and Whitehill; "Lucia," Thursday, with Mmes. Gagli and Egner and Messrs. Gagli, Danke and Matzenauer; "Tosca," Friday, with Miss Farrar in the title role, the cast including Messrs. Martinielli, Scotti and D'Angelo.

"Faust" will be the first Saturday night opera, with Mmes. Easton and Ellis and Messrs. Chamblee, De Luca and Kothler.

"Carmen" will open the Brooklyn opera season at the Academy of Music on Tuesday evening, November 15, with Miss Farrar and Mmes. Sundell, Tiffany and Kothler.

It might have been supposed after this that Mrs. Wilkinson would not have been so eager for her husband's company, but on Monday, when she said, Wilkinson passed with the "15-year-old chorus girl," she made a leap to the running board of Wilkinson's machine and endeavored to plant rings around Wilkinson's eyes, that is, according to Wilkinson, Mrs. Wilkinson denied striking the first blow, saying that when she reached the running board Wilkinson put out his fist, striking her in the chest and causing her to fall off.

But she got up and got aboard again.

Patrolman Lenz told Magistrate Joseph E. Corrigan that the battle was "going hot" when he arrived. He gave the opinion that Mrs. Wilkinson started it and said he did not see a "chorus girl" in the automobile.

"She ran away just as fast as she could," Mrs. Wilkinson explained. "These sixteen-year-olds can run." Then she paid her \$5 fine.

FIGHT TO KEEP POST
IN AMERICAN LEGION

Stand Against Preference Bill Creates Issue.

The City Club Post, American Legion, protested last night against the action recently taken by the county committee of the American Legion in asking the Legislature to amend the law so as to revoke the charter of Willard Straight Post, because of the opposition of that post to the veterans preference bill. The City Club Post has gone on record as opposing the bill, and the county committee of the American Legion is taking action on each member of the obligation "to perform his full duty as a citizen according to his own conscience and understanding," it was said that the action against Willard Straight Post was taken on the ground that the county committee by giving approval of the bill had spoken officially for all the Manhattan Legion posts.

FORMER BANK AGENT
SUES FOR COMMISSION

Alleges \$100,000 Due on European Business.

Morris Cesar, of 359 Clifton place, Brooklyn, who claims to have travelled through Europe to Jugoslavia and Poland as the Paris representative of the Bank of the United States, has brought suit against the institution in the Supreme Court, Brooklyn, for the recovery of \$100,000. Through his counsel, Albert Conway, Cesar declared he had a contract with the bank by which he was to receive 10 per cent of all profits that resulted from business obtained by him for the bank. He asserts that the profits in question have amounted to \$100,000.

Meier Steinbock, representing the bank, entered a general denial and stated that whatever claim Cesar might have had has been satisfied. The defendant's counsel, Mr. Charles H. Street, at the National Theatre last night.

No adult spectators except teachers will be admitted to the special matinee of "Hallelujah" which the Century Theatre company will give at the Century Theatre Wednesday afternoon as a free performance for school children.

Will Rogers is under contract with Shubert vaudeville for only three weeks, two of which will be shared by the new beginning next Monday at the Winter Garden.

One hundred and fifty members of the National Comedy Club, who were invited to the theatre last night at the Hippodrome.

Maria Ranz, Italian actress, will recite two poems tonight at the Century Theatre in the Seventy-first Regiment Armory. One of the poems will be in English.

After to-night's performance "A Bill of Divorcement" will be moved to the Times Square Theatre, where it will be given as a house and goes to the Eltinge on Monday.

Sam H. Harris has engaged Rolfe Peters for an important role in *Plaza Fergusson's* supporting company in *Zoe Akers's* play, "The Varying Hours of the Night," which Peters will also play the costumes.

Harland Dixon and Marie Callahan, dancing together in "Good Morning, Beattie," are now making their sixth consecutive appearance together.

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NEW OPERA WITH NEW STAR FOR
METROPOLITAN'S OPENING WEEK

Mme. Jeritza of Vienna Arrives to Appear in 'Die Tote Stadt.'

Giulio Gatti-Casazza yesterday announced the opera to be sung the first week of the Metropolitan season, beginning November 14.

An interesting feature of the announcement was that Marie Jeritza, Viennese soprano, will make her American debut in the first new opera of the season, Erich Wolfgang Kornold's "Die Tote Stadt" ("The Dead City"), which will be presented at the Saturday matinee of the opening week. In the cast with Marie Jeritza will be Mr. Benbach in the leading tenor role, with Mmes. Delaunoy, Anthony and Telva and Messrs. Meader, Laurenti, Bada and Leonhardt. Mr. Bodanzky, who has prepared the work, with Mr. Scott as chorus master and Mr. Thewman as stage director, will conduct the performance.

Mme. Jeritza arrived yesterday aboard the Rotterdam accompanied by her husband, Baron Popper. They went to the St. Regis.

"Traviata," with a new stage setting by Joseph Urban, will be the opening opera, with Mmes. Gagli-Curci, Berst and Egner and Messrs. Gagli and De Luca. Miss Gagli and Mr. Bonifiglio will dance.

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